

typically submitted their Uniform Application after September 30. Since the contents of the Uniform Application are not changing, it is difficult to estimate the additional response burden and associated costs for the first year of this change of receipt date (no

additional burden is estimated for this change for future years). Therefore, a nominal response burden for each applicant of one hour is provided. In addition, it is conservatively assumed that all applicants will request an extension of the MOE and Synar

reporting, and one hour is estimated for preparation of such a request. Thus, for the first year of implementation, total response burden is estimated at 120 hours. For subsequent years, the burden estimate is 60 hours.

ANNUAL REPORTING BURDEN

45 CFR citation and purpose	Number of respondents	Responses per respondent	Hours per response	Total hours
96.122(d) Due date for annual report .....	60	1	1	60
96.122(d) Extension requests associated with MOE and Synar .....	60	1	1	60
Total .....	60			120

Individuals and organizations may submit comments on these burden estimates or any other aspect of these information collection provisions, including suggestions for reducing the burden, and should direct them to: SAMHSA Reports Clearance Officer, Room 16-105, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857.

The information collection provisions in this final rule have been approved under OMB control number 0930-0163. This approval expires February 28, 2001. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

List of Subjects in 45 CFR Part 96

Alcohol abuse, Alcoholism, Confidentiality, Drug abuse, Health records, Tobacco use by minors.

Dated: June 29, 2000.

Donna E. Shalala, Secretary.

For the reasons set forth in the preamble, Subpart L of Part 96 of Title 45 of the Code of Federal Regulations is amended as follows:

PART 96—BLOCK GRANTS

1. The authority citation for Subpart L of Part 96 continues to read as follows:

Authority: 42 U.S.C. 300x-21 to 300x-35 and 300x-51 to 300x-64.

2. Section 96.122(d) is revised to read as follows:

§ 96.122 Application content and procedures.

\* \* \* \* \*

(d) Beginning with the fiscal year 2001 application, the application (in substantial compliance with the statutory and regulatory provisions for the Block Grant) must be submitted no later than October 1 of the fiscal year for which Block Grant funding is being

requested. The submission date for the report required by § 96.130(e) to be submitted with the application and/or the information required by § 96.134(b) may be extended for good cause shown in a request signed by the official authorized to apply for the Block Grant funding on behalf of the State, or the Governor. The State should request an extension for only the amount of time necessary. In no event will an extension be granted past December 31 of the fiscal year for which application is made. All requests to extend the due date must be submitted no later than September 1 of the prior fiscal year and addressed to the same address as specified for the grant application. Extension requests must state for which requirement an extension is sought, the date of submission sought, why the State is unable to meet the October 1 due date, and discuss if there are steps the State will be able to take to avoid requiring an extension in future years, or if not, why not. Extension requests complying with these requirements will be acted upon no later than September 20 of the fiscal year prior to the year for which application is to be made. Due date extensions regarding the § 96.130(e) report and regarding the § 96.134(d) information shall only be granted in writing. In order for an applicant to have complied with the requirements of section 1932(a)(1) of the Public Health Service Act (42 U.S.C. 300x-32(a)(2)), it is necessary that the components of the application have been submitted by the date indicated or as extended pursuant to this paragraph.

\* \* \* \* \*

[FR Doc. 00-18316 Filed 7-20-00; 8:45 am]

BILLING CODE 4162-20-P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Parts 1807, 1815, and 1825

Acquisition Planning

AGENCY: National Aeronautics and Space Administration (NASA).

ACTION: Final rule.

SUMMARY: This final rule amends the NASA FAR Supplement (NFS) to: include additional circumstances when NASA field installations are required to identify certain acquisitions through the Master Buy Plan (MBP) process; add NASA's policy regarding the use of the structured approach for developing profit or fee when contracting with non-profit organizations which was mistakenly removed; and make editorial corrections and miscellaneous changes dealing with NASA internal and administrative matters.

EFFECTIVE DATE: July 21, 2000.

FOR FURTHER INFORMATION CONTACT: Bruce King, NASA Headquarters Office of Procurement, Program Operations Division (Code HS), Washington, DC 20546, (202) 358-0461, e-mail: bruce.king@hq.nasa.gov.

SUPPLEMENTARY INFORMATION:

A. Background

Current Master Buy Plan (MBP) submission guidance does not address high value acquisitions from or through other government agencies and Chiles Act cooperative agreements, and any acquisition deemed to be of significant importance to the Agency regardless of its dollar value. This final rule provides that NASA field installations identify these acquisitions through the MBP process for possible Headquarters review and approval. The change to NASA's structured approach for developing a profit or fee objective (64 FR 51472-51476, September 23, 1999) mistakenly deleted NASA's policy

regarding the use of the structured approach for non-profit organizations and NASA's policy not to pay profit or fee on contracts with educational institutions. This final rule corrects this error by adding the previous language as section 1815.404-471-6. Additionally, editorial corrections and miscellaneous changes are made to correct the MBP format instructions, revise Internet reference citations, and correct the instructions for completing the Customs Form 7501, Entry Summary.

**B. Regulatory Flexibility Act**

NASA certifies that this rule will not have a significant economic impact on a substantial number of small business entities under the Regulatory Flexibility Act (5U.S.C. 601 *et seq.*) because it does not impose any new requirements.

**C. Paperwork Reduction Act**

The Paperwork Reduction Act does not apply because the changes to the NFS do not impose any recordkeeping or information collection requirements that require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

**List of Subparts in 48 CFR Parts 1807, 1815, and 1825**

Government procurement.

**Tom Luedtke,**

*Associate Administrator for Procurement.*

Accordingly, 48 CFR Parts 1807, 1815 and 1825 are amended as follows:

1. The authority citation for 48 CFR Parts 1807, 1815 and 1825 continues to read as follows:

**Authority:** 42 U.S.C. 2473(c)(1)

**PART 1807—ACQUISITION PLANNING**

2. In section 1807.103 revise paragraph (d)(iii)(E) to read as follows:

**1807.103 Agency-head responsibilities.**

- (d) \* \* \*
- (iii) \* \* \*

(E) From or through other Government agencies except when the value of the acquisition meets the Master Buy Plan threshold (see 1807.7101(a));

\* \* \* \* \*

3. Amend section 1807.7000 by removing “(http://ec.msfc.nasa.gov/hq/cci/first.html)” and adding “(http://procurement.nasa.gov/cgi-bin/CCI/first.cgi)” in its place.

4. In section 1807.7101, revise paragraph (a) and add paragraphs (c)(3) and (c)(4) to read as follows:

**1807.7101 Applicability.**

(a) The Master Buy Plan applies to each negotiated acquisition, including

supplemental agreements and acquisitions through or from other Government agencies, where the dollar value, including the aggregate amount of options, follow-on acquisitions, or later phases of multi-phase acquisitions, is expected to equal or exceed \$50,000,000.

\* \* \* \* \*

(c) \* \* \*

(3) Any cooperative agreement notice where the total value (the Government's contribution plus the contribution of the recipient) of any resulting cooperative agreement is expected to equal or exceed \$50,000,000.

(4) Any acquisition designated by NASA Headquarters regardless of its value.

\* \* \* \* \*

5. In Table 1807-1, the second sentence of items (5)-(9) in the section titled “Supplementary instructions by heading number” is amended by removing the words “column (8)” and adding “column (7)” in its place.

**PART 1815—CONTRACTING BY NEGOTIATION**

6. Add section 1815.404-471-6 to read as follows:

**1815.404-471-6 Modification to structured profit/fee approach for nonprofit organizations.**

(a) The structured approach was designed for determining profit or fee objectives for commercial organizations. However, the structured approach must be used as a basis for arriving at profit/fee objectives for nonprofit organizations (FAR subpart 31.7), excluding educational institutions (FAR subpart 31.3), in accordance with paragraph (b) of this section. It is NASA policy not to pay profit or fee on contracts with educational institutions.

(b) For contracts with nonprofit organizations under which profit or fee is involved, an adjustment of up to 3 percent of the costs in Block 13 of NASA Form 634 must be subtracted from the total profit/fee objective. In developing this adjustment, it is necessary to consider the following factors:

- (1) Tax position benefits;
- (2) Granting of financing through letters of credit;
- (3) Facility requirements of the nonprofit organization; and
- (4) Other pertinent factors that may work to either the advantage or disadvantage of the contractor in its position as a nonprofit organization.

**PART 1825—FOREIGN ACQUISITION**

7. Revise section 1825.903 to read as follows:

**1825.903 Exempted supplies.**

(a) Through delegation from the Associate Administrator for Procurement, procurement officers are authorized to certify duty free entry for articles imported into the United States, if those articles are procured by NASA or by other U.S. Government agencies, or by U.S. Government contractors or subcontractors when title to the articles is or will be vested in the U.S. Government in accordance with the terms of the contract or subcontract. Procurement officers shall complete the certification set forth in 14 CFR 1217.104(a) or 1217.104(c) (<http://www.access.gpo.gov/nara/cfr/cfr-retrieve.html#page1>). Upon arrival of foreign supplies at a port of entry, the consignee, generally the commercial carrier or its agent (import broker), will file Customs Form 7501, Entry Summary. This form is available from Service Ports (<http://www.customs.ustreas.gov/location/ports/index.htm>) or from NASA Headquarters' forms library ([https://extranet.hq.nasa.gov/nef/user/form\\_search.cfm](https://extranet.hq.nasa.gov/nef/user/form_search.cfm)). All duty-free certificates must be coordinated with the center Chief Counsel. Procurement officers must maintain a record of each certification and make this record available for periodic review by NASA Headquarters and the U.S. Customs Service.

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**NATIONAL AERONAUTICS AND SPACE ADMINISTRATION**

**48 CFR Parts 1827, 1835 and 1852**

**Submission of Final Reports under NASA Research and Development Contracts**

**AGENCY:** National Aeronautics and Space Administration (NASA).

**ACTION:** Final rule.

**SUMMARY:** This final rule revises the report submission requirements under NASA research and development (R&D) contracts and clarifies that contractors cannot release these final reports until NASA has completed its Document Availability Authorization (DAA) review and the availability of the report has been determined.

**EFFECTIVE DATE:** July 21, 2000.